

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

WALTER MAISTRELLO,

Plaintiff,

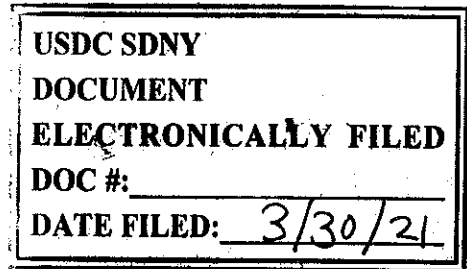
- against -

UNITED STATES OF AMERICA; UNITED STATES
CITIZENSHIP AND IMMIGRATION SERVICES;
ALEJANDRO MAYORKAS, Secretary of Homeland
Security; TRACY RENAUD, Senior Official
Performing the Duties of the Director of the United
States Citizenship and Immigration Services; SUSAN
DIBBINS, Chief, Administrative Appeals Unit; LOREN
K. MILLER, Director, Nebraska Service Center,

Defendants.¹

No. 20 Civ. 6376 (LAK)

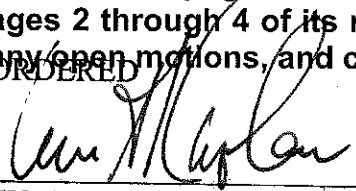
NOTICE OF MOTION



PLEASE TAKE NOTICE that, upon plaintiff's complaint, filed on August 12, 2020, and defendants' accompanying memorandum of law in support of this motion to dismiss, defendants, by their attorney, Audrey Strauss, United States Attorney for the Southern District of New York, hereby move this Court for an order dismissing this action under Fed. R. Civ. P. 12(b)(1) for lack of subject matter jurisdiction.

The motion is granted on the ground that this Court lacks jurisdiction over the subject matter of the action substantially for the reasons set forth at pages 7 through 11 of the government's opening memorandum and pages 2 through 4 of its reply memorandum. The Clerk shall enter judgment, close any open motions, and close the case.

SO ORDERED


LEWIS A. KAPLAN, USDJ

3/30/21

¹ Alejandro Mayorkas and Tracy Renaud are automatically substituted for Chad Wolf and Kenneth Thomas Cuccinelli. See Fed. R. Civ. P. 25(d).